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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CHURCHILL COUNTY, CITY OF FALLON, AND) Case No. 3:09-cv-170-LDG-RAM
TRUCKEE-CARSON IRRIGATION DISTRICT,)

Plaintiffs,) **STIPULATION AND**
v.) **ORDER**
UNITED STATES DEPARTMENT OF THE) **MODIFYING BRIEFING**
INTERIOR, *et al.*,) **SCHEDULE**
(**Second Request**)

Defendants,)
TRUCKEE MEADOWS WATER AUTHORITY;)
PYRAMID LAKE PAIUTE TRIBE; WASHOE)
COUNTY WATER CONSERVATION DISTRICT;)
CITY OF FERNLEY,)
Intervenor-Defendants.)

1 COME NOW, Plaintiffs Churchill County, the City of Fallon, and the Truckee-Carson
2 Irrigation District (“Plaintiffs”); United States Department of the Interior, Ken Salazar, the
3 Bureau of Reclamation, and Michael L. Connor (“Federal Defendants”); and Intervenor
4 Truckee Meadows Water Authority, Pyramid Lake Paiute Tribe, Washoe County Water
5 Conservation District, and the City of Fernley (“Intervenor-Defendants”), through their
6 undersigned attorneys, and jointly stipulate and request that the briefing schedule previously
7 approved by the Court in this case (Dkt. #50), be modified to enlarge the time for Federal
8 Defendants and Intervenor-Defendants to respond to the Plaintiffs’ Motion to Supplement the
9 Administrative Record (Dkt. #74) until June 27, 2011. Under the briefing schedule approved by
10 the Court on November 19, 2010 (Dkt. #50), responses to the Motion to Supplement are due
11 thirty days after filing, or June 13, 2011. In support of this request, the Parties state further as
12 follows:
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14

15 1. Plaintiffs filed their Motion to Supplement the Administrative Record and To
16 Require Defendants to Provide an Annotated Environmental Impact Statement Linked to
17 Documents in the Administrative Record (“Motion to Supplement”) on May 13, 2011 (Dkt. #74).
18 Plaintiffs’ Motion to Supplement was accompanied by an index and a CD containing files of 318
19 documents.
20

21 2. Under the briefing schedule previously approved by the Court (*see* Dkt. #50),
22 Federal Defendants have 30 days from the date of filing of Plaintiffs’ Motion to Supplement to
23 file an Opposition to the Motion to Supplement.
24

25 3. Federal Defendants state as follows: Federal Defendants require a short extension
26 of time to complete their review of Plaintiffs’ supplemental documents, and also to address
27 unanticipated litigation and scheduling conflicts that have arisen recently. Accordingly, Federal
28

1 Defendants request a two-week enlargement of time, until June 27, 2011, in which to file their
2 response to Plaintiffs' Motion to Supplement. Plaintiffs and Intervenor-Defendants do not object
3 to this request.

4
5 4. Therefore, the Parties stipulate that the briefing schedule previously approved by
6 the Court be modified so that all responses to the Motion to Supplement shall be filed on or
7 before June 27, 2011.

8
9 5. Plaintiffs shall have 30 days from the date of service of Federal Defendants'
10 response to the Motion to Supplement, and any response filed by Intervenor-Defendants, or until
11 July 27, 2011, to reply.

12
13 6. Briefing in response to Federal Defendants' and Intervenor-Defendants' Motions
14 for Summary Judgment shall be stayed pending resolution of the Motion to Supplement.

15
16 7. Plaintiffs shall have 30 days after service of a Court Order resolving the Motion to
17 Supplement to file an Opposition to the Federal Defendants' Motion for Summary Judgment and
18 to cross-move for summary judgment.

19
20 8. Federal Defendants shall have 30 days from the date of service of Plaintiffs
21 Opposition/Cross-Motion in which to file an Opposition/Reply to Plaintiffs' Cross-Motion for
22 Summary Judgment and in support of Federal Defendants' Motion for Summary Judgment.

23
24 9. Plaintiffs shall have 30 days from the date of service of Federal Defendants'
25 Opposition/Reply to file a Reply to Federal Defendants' Opposition.

26
27 10. Opening briefs and Opposition briefs shall not exceed 60 pages in length, and
28 Reply briefs shall not exceed 30 pages, without leave of Court.

11. Any motions or responsive briefs filed by Intervenor-Defendants and responses
thereto shall conform to the schedule above.

Respectfully submitted this 3d day of June, 2011, by:

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16 PAUL G. TAGGART
17 Attorneys for Intervenor-Defendant
18 CITY OF FERNLEY

19 **ORDER**

20 The stipulated modification to the briefing schedule is APPROVED.

21 IT IS SO ORDERED.

22 DATED: 9 June 2011

23 
24 _____
25 LLOYD D. GEORGE
26 SENIOR UNITED STATES DISTRICT JUDGE
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